

# EXHIBIT D

May. 7. 2013 12:47PM

No. 3755 P. 1



**TUTWILER**  
PUBLICADJUSTER.COM

**FACSIMILE COVER SHEET**  
**REPLY TO: TAMPA - FAX (813) 287-0862**

**DATE:** May 7, 2013  
**FROM:** Rick Tutwiler  
**TO:** Ms. Mitzi Palazzo  
**RE:** Insured: Robert and Laura Toussie  
Claim No: 0264568890  
**FAX #:** 877-292-9527

**NUMBER OF PAGES TO FOLLOW INCLUDING COVER:**

**PLEASE CONTACT (813) 287-8090, IF YOU DID NOT RECEIVE QUALITY COPIES. THANK YOU.**

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**Tampa**  
5401 West Kennedy Blvd., Suite 757  
Tampa, Florida 33609  
P: 813.287.8090 F: 813.287.0862  
TF: 1.800.321.4488

**South Florida**  
800 South Federal Highway  
Hollywood, Florida 33020  
P: 305.374.5223  
TF: 1.800.321.4488

**Treasure Coast**  
3477C SW Palm City School Ave.  
Palm City, Florida 34990  
P: 772.828.2406 F: 561.348.2108  
TF: 1.866.903.1718

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**TUTWILER**  
PUBLICADJUSTER.COM

May 7, 2013

CERTIFIED MAIL & FAX:  
877.292.9527

Ms. Mitzi Palazzo  
Desk Adjuster  
Allstate National Catastrophe Team  
P.O. Box 672041  
Dallas, TX 75267

RE: Insured: Robert & Laura Toussie  
Allstate Policy No. 043 588174 08/30 - Deluxe Plus Homeowners Insurance  
Allstate Claim No. 0264568890  
Type of Loss: Windstorm/Theft/Water Back-up/Sewer  
Loss Address: 290 Exeter St.  
Brooklyn, NY 11235-3726  
Date of Loss: October 29, 2012

Dear Ms. Palazzo:

This letter is in response to your letter dated April 26, 2013. It will also confirm my most recent conversation with you and your Mold Adjuster on May 3, 2013.

Pursuant to my conversation with your Mold Adjuster "Mary" (would not provide last name) she indicated that Allstate was denying coverage for the Mold Portion of this claim. However, Mary could not provide a clear explanation of her basis nor could she provide supporting documentation regarding Allstate's decision and denial. Mary only informed me that Allstate's denial was based upon their engineer's report, but when she transferred me to speak with you, you advised that Allstate's engineer has not completed his report nor has he turned anything in. (For clarification please refer to the phone conversations that Allstate records for quality assurance.)

In addition to the above, I received a letter from you dated April 26, 2013 stating: *This letter will serve as notification that this claim is being closed due to "lack of interest."* I am shocked to have received such correspondence and it is extremely concerning that you as Lead Adjuster and the Allstate Insurance Company has chosen to close this claim while it still will not provide the following to its insureds:

- 1) A Certified and True Copy of the Deluxe Plus Homeowners Insurance Policy No. 043 588174 to include the policy itself, its declarations pages, limits of liability, and endorsements
- 2) A Certified Copy of the Scheduled Personal Property/Fine Arts Schedule that was also sold as part of the policy, which they paid an additional premium for and understand is insured for \$365,450.00.
- 3) A Copy of Allstate's Engineer's Report
- 4) A Formal Denial Letter explaining its position regarding the items noted above

Given the above, it is very clear that Allstate's decision to close this claim is unjust and simply wrong. I have made you aware in past prior correspondences that the insureds have lost everything. Without having a Certified and Complete Copy of their Allstate Deluxe Plus Homeowners Insurance Policy No. 043 588174 or their Scheduled Fine Arts Policy it is not possible for them to accurately gauge what was stolen and what was covered. We cannot fathom why Allstate will not provide these policies nor a copy of their Engineer's Report.

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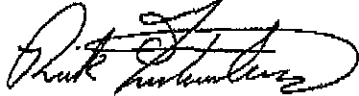
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Ms. Mitzi Palazzo  
May 7, 2013  
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I will advise the Toussie family to proceed accordingly, but please note your claim file that the insureds have done everything in their power to cooperate with Allstate, even providing their own engineer's report at their expense. To the contrary, Allstate has not been cooperative and has now elected to close this claim due to "lack of interest," which given all the facts outlined above is simply wrong.

Thank you,



Richard P. "Rick" Tutwiler, P.C.L.S.  
New York Licensed Public Adjuster PA-1097424/Certified Windstorm Umpire

Cc: Martha Vaughn  
Via Fax: 877.292.9527  
Ref Claim # 0264568890

Cc: Ms. Mylene Brum  
Via Fax: 877.292.9527  
Ref Claim # 0264568890

Cc: Robert & Laura Toussie

Enclosure(s)

1. Allstate Lack of Interest Letter - April 26, 2013